

PETITION FOR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property for a food store as a use in combination with a service station.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I We do solemnly declare and affirm, under the penalties of perjury, that I we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: EMERSON E. BARNES
(Type or Print Name)
Signature: *Emerson E. Barnes*

Legal Owner(s):
EMERSON E. BARNES
(Type or Print Name)
Signature: *Emerson E. Barnes*

Address: MARGARET M. BARNES
(Type or Print Name)
Signature: *Margaret M. Barnes*

City and State: 5310 Emory Road, H-420-2915; W-833-6600
Address
Upperco, Maryland 21155
City and State

Name and telephone number of legal owner, contract purchaser or representative to be contacted
EMERSON E. BARNES
5310 Emory Road
Upperco, Maryland 21155 (See above)
Telephone No.

Attorney's Telephone No.: 828-7100

ORDERED By The Zoning Commissioner of Baltimore County, this 30th day of December, 1981, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 4th day of February, 1982, at 10:00 o'clock A.M.

Zoning Commissioner of Baltimore County.

Z.C.O.-No. 1 (over)

PETITION FOR SPECIAL HEARING #78

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve a full service station to gas and go to be operated in conjunction with a convenience store and to permit the appropriate amendment to the previously granted special exception (See Zoning Case 3115).

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of the above Special Hearing advertising, posting, etc., upon filing of this Petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I We do solemnly declare and affirm, under the penalties of perjury, that I we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: EMERSON E. BARNES
(Type or Print Name)
Signature: *Emerson E. Barnes*

Legal Owner(s):
EMERSON E. BARNES
(Type or Print Name)
Signature: *Emerson E. Barnes*

Address: MARGARET M. BARNES
(Type or Print Name)
Signature: *Margaret M. Barnes*

City and State: 5310 Emory Road, H-420-2915; W-833-6600
Address
Upperco, Maryland 21155
City and State

Name and telephone number of legal owner, contract purchaser or representative to be contacted
EMERSON E. BARNES
5310 Emory Road
Upperco, Maryland 21155 (See above)
Telephone No.

Attorney's Telephone No.: 828-7100

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Zoning Commissioner of Baltimore County.

Z.C.O.-No. 1 (over)

PETITION FOR ZONING VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 405-B.3 to permit a total site area of 15,812 sq. ft. instead of 20,184 sq. ft. to allow a food store as a use in combination with a service station.

The site size is adequate for the combined use in the community and cannot be increased to meet the site size requirements without practical difficulties of subdivision. The convenience store is needed in the community.

An 8' wall or fence is out of character with the Fowblesburg Community. A fence will be used to screen the trash receptacle area, but it would not be in the public interest to require fencing on the back (east) property line of the site.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I We do solemnly declare and affirm, under the penalties of perjury, that I we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: EMERSON E. BARNES
(Type or Print Name)
Signature: *Emerson E. Barnes*

Legal Owner(s):
EMERSON E. BARNES
(Type or Print Name)
Signature: *Emerson E. Barnes*

Address: MARGARET M. BARNES
(Type or Print Name)
Signature: *Margaret M. Barnes*

City and State: 5310 Emory Road, H-420-2915; W-833-6600
Address
Upperco, Maryland 21155
City and State

Name and telephone number of legal owner, contract purchaser or representative to be contacted
EMERSON E. BARNES
5310 Emory Road
Upperco, Maryland 21155 (See above)
Telephone No.

Attorney's Telephone No.: 828-7100

ORDERED By The Zoning Commissioner of Baltimore County, this 30th day of December, 1981, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 4th day of February, 1982, at 10:00 o'clock A.M.

Zoning Commissioner of Baltimore County.

Also variance from 409.2 c (4) to permit parking of street property line in lieu of the required 8 feet. (over)

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

January 22, 1982

County Office Bldg.
111 W. Chestnut Ave.
Towson, Maryland 21204

cc: Nicholas B. Commodari
Chairman

MEMBERS
Bureau of Engineering
Department of Traffic Engineering
State Roads Commission
Bureau of Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial Development

Robert J. Ryan, Esquire
106 Jefferson Building
Towson, Maryland 21204

Re: Item No. 78
Petitioner - Emerson Barnes, et ux
Special Exception, Special Hearing,
and Variance Petitions

Dear Mr. Ryan:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Located on the northeast corner of Hanover and Emory Roads in the 14th Election District, the subject property is presently improved with a service station, while dwellings exist to the east and commercial uses exist to the north, west and south.

In view of your clients' proposal to convert the present operation to a combination gas station/food store, this hearing is required. Variances are included to allow a smaller site area then required, reduce the amount of required screening and allow parking within 0' of the street property line. As indicated in our previous conversations, this latter request is not required, because the proposed parking is required to be setback 8' from the existing rather than the proposed right-of-way, and the submitted site plan indicates a 10' setback from property line along Emory Road.

Particular attention should be afforded to the comments of the Department of Permits and Licenses, while revised plans, reflecting a revised parking arrangement along the front of the existing structure must be submitted.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,
NICHOLAS B. COMMODARI, Chairman
Zoning Plans Advisory Committee

ENC: bcc
Enclosures
cc: C.A. Myers, 5732 Emory Road, Upperco, Md. 21155



BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204

cc: Mr. William E. Hammond
Zoning Commissioner
County Office Building
Towson, Maryland 21204

November 25, 1981

Mr. William E. Hammond
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #78 (1981-1982)
Property Owner: Emerson E. & Margaret M. Barnes
15' N. of centerline of Emory Rd. 33' E. of centerline
of Hanover Rd.
Acres: 0.363 District: 4th

Dear Mr. Hammond:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

Highways:

Hanover Pike (Md. 30) is a State Road; therefore, all improvements, intersections, entrances and drainage requirements as they affect the road come under the jurisdiction of the Maryland State Highway Administration. Any utility construction within the State Road right-of-way will be subject to the standards, specifications and approval of the State in addition to those of Baltimore County.

Emory Road, an existing public road in this vicinity is proposed to be further improved in the future as a 30-foot closed section roadway on a 50-foot right-of-way with fillet areas for sight distance at the Hanover Pike intersection.

The entrance locations are subject to approval by the Department of Traffic Engineering, and shall be constructed in accordance with Baltimore County Standards and Specifications.

Sediment Control:

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

Storm Drains:

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

Item #78 (1981-1982)
Property Owner: Emerson E. & Margaret M. Barnes
Page 2
November 19, 1981

Water and Sanitary Sewer:

Public water supply and sanitary sewerage are not available to serve this property, which is beyond the Baltimore County Metropolitan District and the Urban-Rural Demarcation Line. Baltimore County Water and Sewerage Plans W and S-9B and 10A, as amended, indicate "No Planned Service" in the area.

Very truly yours,

Robert A. Morton, P.E., Chief
Bureau of Public Services

RAM:EAM:FWR:ss

cc: Jack Wimbley

BB-JE Key Sheet
90 & 91 NW 42 Pos. Sheets
NW 23 K Topo
31 Tax Map



Maryland Department of Transportation
State Highway Administration

James J. O'Donnell
Secretary
M. S. Caltrider
Administrator

November 6, 1981

Mr. William Hammond
Zoning Commissioner
County Office Bldg.
Towson, Maryland 21204

Attention: Mr. N. Commodari

Re: Z.A.C. Meeting of 11/3/81
ITEM: #78.
Property Owner: Emerson E. & Margaret M. Barnes
Location: 15' N. of centerline of Emory Road 33' E. of centerline of Hanover Road Route 30
Existing Zoning: RI-CR
Proposed Zoning: Special Exception for a food store as a use in combination with a service station. Special Hearing to convert a full service station to gas and go to be operated in conjunction with a convenience store and to permit appropriate amendment to the previously granted Special Exception (Case #3115) and a Variance to permit a total site area of 15,812 sq. ft. in lieu of 20,184 sq. ft. to allow a food store as a use in combination with a service station and to modify the screening requirements of Sect. 405-B.3 by required no fencing on the property except the approximately 40' of 4' stockade fence along part of the north boundary.
Acres: 0.363
District: 4th

Dear Mr. Hammond:

On review of the site plan of August 10, 1981 and field inspection, the State Highway Administration finds the plan generally acceptable.

My telephone number is:

(201) 560-1350
P.O. Box 717/727 North Cawten St., Baltimore, Maryland 21203-0717

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that by reason of the requirements of Section 502.1 of the Baltimore County Zoning Regulations having been met and the health, safety, and general welfare of the community not being adversely affected, a special exception should be granted.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 22nd day of February, 1982, that the herein Petition for Special Exception for a food store as a use in combination with a service station, in accordance with the site plan prepared by C.A. Meyers and marked Petitioners' Exhibit 2, should be and the same is GRANTED, from and after the date of this Order, subject, however, to the following restrictions:

1. Compliance with the comments submitted by the Health Department, dated December 8, 1981, except that all unused fuel oil tanks may be filled in lieu of removal as long as all fire code regulations are met.
2. The screening requirement shall be waived; however, should the adjacent property owner request screening at a later date, it shall be installed in accordance with the then existing Baltimore County Zoning Regulations within six months.
3. Approval of the aforementioned site plan by the Maryland Department of Transportation, the Department of Public Works, and the Office of Planning and Zoning, including landscaping and screening required for approval by the Current Planning and Development Division.

Jan M. H. Juma
Deputy Zoning Commissioner of
Baltimore County

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that by reason of the following finding of facts that to amend the site plan filed in Case No. 3115 to convert a full service station to a "gas and go" operation in conjunction with a food (convenience) store would be in strict harmony with the spirit and intent of the Baltimore County Zoning Regulations and would not adversely affect the health, safety, and general welfare of the community, and, therefore,

IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 22nd day of February, 1982, that the amendment to the site plan filed in Case No. 3115 to convert a full service station to a "gas and go" operation in conjunction with a food (convenience) store, in accordance with the site plan prepared by C.A. Meyers and marked Petitioners' Exhibit 2, should be approved and, as such, the Petition for Special Hearing is hereby GRANTED, from and after the date of this Order, subject, however, to the terms, provisions, and conditions contained in the accompanying Special Exception Order.

Jan M. H. Juma
Deputy Zoning Commissioner of
Baltimore County

ORDER RECEIVED FOR FILMS

DATE February 9, 1982
BY John L. Wimbley

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that strict compliance with the Baltimore County Zoning Regulations would result in practical difficulty and unreasonable hardship upon the Petitioner(s) and the granting of the variance(s) requested ~~will~~ not adversely affect the health, safety, and general welfare of the community, the variance(s) should ~~be~~ be granted.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 22nd day of February, 1982, that the herein Petition for Variance(s) to permit a total site area of 15,812 square feet in lieu of the required 20,184 square feet to allow a food store as a use in combination with a service station, a 4 foot high fence on part of the northern property line in lieu of the 8 foot fence required along the entire north and east property lines, and to permit parking 0 feet from the street property line in lieu of the required 8 feet in accordance with the site plan prepared by C.A. Meyers and marked Petitioners' Exhibit 2, should be and the same is GRANTED, from and after the date of this Order, subject, however, to the terms, provisions, and conditions contained in the accompanying Special Exception Order.

Jan M. H. Juma
Deputy Zoning Commissioner of
Baltimore County

ORDER RECEIVED FOR FILMS

DATE February 9, 1982
BY John L. Wimbley

Mr. W. Hammond -2- November 6, 1981

However, it is suggested that the plan be revised to show a proposed right of way of 60', 10' from the centerline of Hanover Road.

It is suggested that the plan be revised prior to a hearing date.

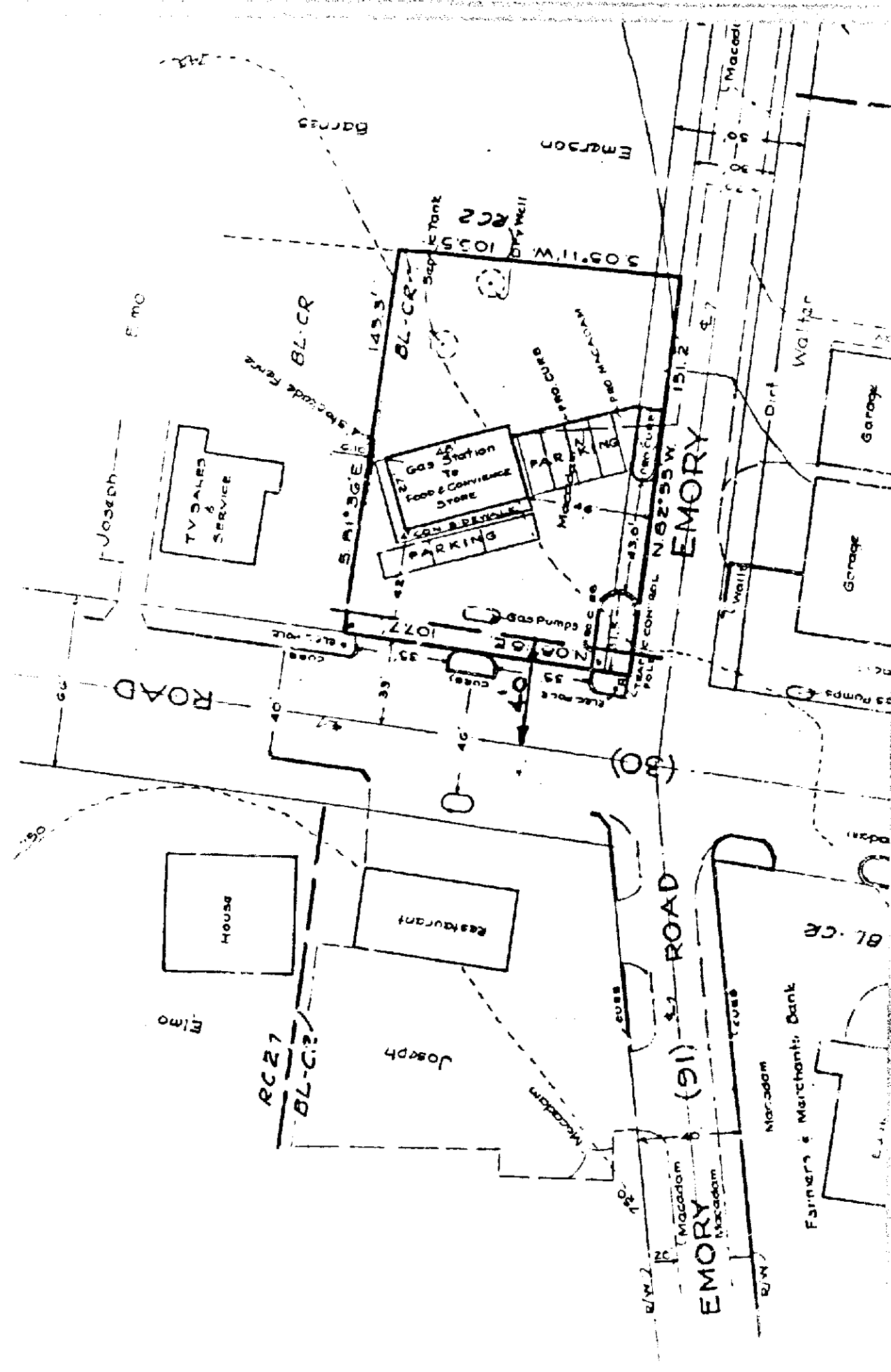
Very truly yours,
Charles E. Ginter
Charles E. Ginter
Bureau of Engineering
Access Records

City Engineer
Attachments
cc: Mr. J. Wimbley

By: George Witten

ORDER RECEIVED FOR FILMS

DATE February 9, 1982
BY John L. Wimbley



BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
TOWSON, MARYLAND 21204
294-6241

NORMAN E. GERBER
DIRECTOR

January 21, 1982

Mr. William Hammond, Zoning Commissioner
Zoning Advisory Committee
Office of Planning and Zoning
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #78, Zoning Advisory Committee Meeting, November 3, 1981, are as follows:

Property Owner: Emerson E. and Margaret M. Barnes
Location: 15' N. of centerline of Emory Road 33' E. of centerline of Hanover Road
Acres: 0.363
District: 4th

This office has reviewed the subject petition and offers the following comments. These comments are not intended to indicate the appropriateness of the zoning in question, but are to assure that all parties are made aware of plans or problems with regard to development plans that may have a bearing on this petition.

This petition meets the requirements of the Division of Current Planning and Development.

Very truly yours,
John L. Wimbley
John L. Wimbley
Planner III
Current Planning and Development

JLW:rh

BALTIMORE COUNTY
DEPARTMENT OF HEALTH
TOWSON, MARYLAND 21204

DONALD J. COOP, M.D., M.P.H.
DEPUTY STATE & COUNTY HEALTH OFFICER

December 8, 1981

Mr. William E. Hammond, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item 78, Zoning Advisory Committee Meeting of November 3, 1981, are as follows:

Property Owner: Emerson E. and Margaret M. Barnes
Location: 15' N. of Centerline of Emory Road 33' E. of centerline of Hanover Road
Existing Zoning: BL-CR
Proposed Zoning: Special Exception for a food store as a use in combination with a service station. Special hearing to convert a full service station to gas and go to be operated in conjunction with a convenience store and to permit appropriate amendment to the previously granted Special Exception (Case #3115) and a Variance to permit a total site area of 15,813 sq. ft. in lieu of 20,184 sq. ft. to allow a food store as a use in combination with a service station and to modify the screening requirements of Sec. 105.B.3 by required no fencing on the property except the approximately 40' of 4' stockade fence along part of the north boundary.
Acres: 0.363
District: 4th

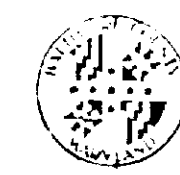
The existing building is served by a drilled well and septic system, both of which appear to be functioning properly.

If a food service facility is proposed, complete plans and specifications must be submitted to the Plans Review Section, Environmental Support Services, Baltimore County Department of Health, for review and approval prior to construction. The proposed convenience store will not be permitted to sell any food items that are not pre-packaged.

The existing underground waste oil and fuel oil tanks must be removed.

Very truly yours,
John J. Forrest
John J. Forrest
Director
BUREAU OF ENVIRONMENTAL SERVICES

LJF/rth



BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204
625-7310

PAUL H. RENCFE
CHIEF

December 15, 1981

Mr. William Hammond
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: Nick Connodari, Chairman
Zoning Plans Advisory Committee

RE: Property Owner: Emerson E. and Margaret M. Barnes

Location: 15' N. of centerline of Emory Road 33' E. of centerline of Hanover Road

Item No.: 78 Zoning Agenda Meeting of November 3, 1981

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

() 1. Fire hydrants for the referenced property are required and shall be located at intervals or _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

() 2. A second means of vehicle access is required for the site.

() 3. The vehicle dead end condition shown at _____

EXCEEDS the maximum allowed by the fire Department.

() 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

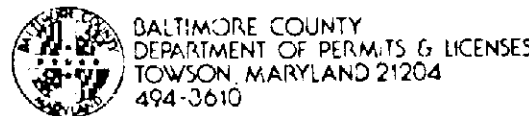
(X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy.

() 6. Site plans are approved, as drawn.

() 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWER: *John J. Forrest* Noted and
Planning Group Approved: *Paul H. Rencke*
Special Inspection Division Fire Prevention Bureau

TK/m/cw



BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204
494-3610

Mr. William E. Hammond, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:
Consents on Item # 78 Zoning Advisory Committee Meeting, November 3, 1981
are as follows:

Property Owner: Emerson E. & Margaret M. Barnes
Location: 15' N. of centerline of Emory Road 33' E. of centerline of Hanover Rd.
Baltimore County Office Building
Proposed Zoning: Special Exception for a food store as a use in combination with a service station. Special Hearing to convert a full service station to gas and go to be operated in conjunction with a convenience store and to permit appropriate amendment to the previously granted Special Exception (Case #115) and a Variance to permit a total site area of 15,812 sq. ft. in lieu of 20,184 sq. ft. to allow a food store as a use in combination with a service station and to modify the screening requirements of Sect. 405.B.3 by required no fencing on the property except the approximately 10' of 4' stockade fence along part of the north boundary. Acres: 0.363 District: 4th

- XA. All structures shall conform to the Baltimore County Building Code 1978, the State of Maryland Code for the Handicapped and Aged, and other applicable Codes.
- B. A building/ permit shall be required before beginning construction.
- C. Residential: Three sets of construction drawings are required to file a permit application. Architect/Engineer seal is/are not required.
- D. Commercial: Three sets of construction drawings with a Maryland Registered Architect or Engineer shall be required to file a permit application.
- E. In wood frame construction an exterior wall erected within 6' 0" of an adjacent lot line shall be of one hour fire resistive construction, no openings permitted within 6' 0" of lot line. A minimum 8" masonry firewall is required if construction is on the lot line.
- F. Requested variance conflicts with the Baltimore County Building Code, Section/s
- XG. A change of occupancy shall be applied for, along with an alteration permit application, and three required set s of drawings indicating how the structure will meet the Code requirements for the proposed change. Occupancy shall be classified as mixed uses "B" and "C" B-Service Sta C-Retail Store. Floor plans shall be required for drawings.
- H. Before City ofice can comment on the above structure, please have the owner, thru the services of a Registered in Maryland Architect or Engineer certify to this office, that, the structure for which a proposed change in use is proposed can comply with the height/area requirements of Table 305 and the required construction classification of Table 211.
- I. Comments

NOTE: These comments reflect only on the information provided by the drawing submitted to the office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired additional information may be obtained by visiting Room #122 (Plans Review) at 111 West Chesapeake Ave., Towson.

Very truly yours,
Charles E. Burnham
Charles E. Burnham, Chief
Plans Review

CEB:mgj

BALTIMORE COUNTY PUBLIC SCHOOLS

Robert Y. Dubel, Superintendent

Towson, Maryland - 21204

Date: Oct. 23, 1981

Mr. William E. Hammond
Zoning Commission
Baltimore County Office Building
1111 West Chesapeake Avenue
Towson, Maryland 21204

RE: Item No: 77, 78, 79, 80, 81
Property Owner:
Location:
Present Zoning:
Proposed Zoning:

District:
No. Acres:

Dear Mr. Hammond:

All of the above have no bearing on student population.

Very truly yours,

Wm. Nick Petrovich
Wm. Nick Petrovich, Assistant
Department of Planning

WNP/bp

RE: PETITION FOR SPECIAL EXCEPTION: BEFORE THE ZONING COMMISSIONER
PETITION FOR SPECIAL HEARING
PETITION FOR VARIANCES : OF BALTIMORE COUNTY
NE corner of Emory Rd. and
Hanover Rd., 4th District :
EMERSON E. BARNES, et ux, : Case No. 82-168-XSPHA
Petitioners

ORDER TO ENTER APPEARANCE

Mr. Commissioner:

Pursuant to the authority contained in Section 52-1 of the Baltimore County Charter, I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing date or dates which may be now or hereafter designated therefor, and of the passage of any preliminary or final Order in connection therewith.

Peter Max Zimmerman
Deputy People's Counsel

John W. Hession, III
People's Counsel for Baltimore County
Rm. 223, Court House
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 11th day of January, 1982, a copy of the foregoing

Order was mailed to Robert J. Ryan, Esquire, 436 Jefferson Building, Towson, Maryland 21204, Attorney for Petitioners.

John W. Hession, III
John W. Hession, III

PETITION FOR SPECIAL EXCEPTION; SPECIAL HEARING; and VARIANCE 4th DISTRICT

ZONING: Petition for Special Exception, Special Hearing and Variances
LOCATION: Northeast corner of Emory Rd. and Hanover Rd.
DATE & TIME: Thursday, February 4, 1982 at 10:00 A.M.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Ave., Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing:

Petition for Special Exception for a food store as a use in combination with a service station; Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve to convert a full service station to gas and go to be operated in conjunction with a food (convenience) store, and to permit the appropriate amendment to the previously granted special exception (See Zoning Case 3115); and Variances to permit a total site area of 15,812 sq. ft. instead of 20,184 sq. ft. to allow a food store as a use in combination with a service station, and to allow a 4 ft. high fence on part of the northern property line in lieu of the required 8 ft. fence along the entire north and east property lines, and to permit parking 0' from street property line in lieu of the required 8 ft.

The Zoning Regulation to be excepted as follows:
Sections 405.4.A.1 and 405.4.D.8 - minimum site area for gas station plus food store,
Section 405.4.B.3.a - screening requirements for gas station adjacent to residential zone or premises, and
Section 409.2.c(4) - minimum setback of parking spaces from street property line.

All that parcel of land in the Fourth District of Baltimore County.

Being the property of Emerson E. Barnes, et ux, as shown on plat plan filed with the Zoning Department

Hearing Date: Thursday, February 4, 1982 at 10:00 A.M.
Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

BY ORDER OF
WILLIAM E. HAMMOND
ZONING COMMISSIONER
OF BALTIMORE COUNTY

5732 EMORY ROAD - UPPERCO, MD. 21155

C. A. Myers
C. A. Myers, Surveyor

PHONE: 429-5079

Robert J. Ryan, Esquire
406 Jefferson Building
Towson, Maryland 21204

January 2, 1982

NOTICE OF HEARING

RE: Petitions for Special Exception, Special Hearing and Variances
Northeast corner of Emory Rd. and Hanover Road
Emerson E. Barnes, et ux - Petitioners
Case #82-168-XSPHA

TIME: 10:00 A.M.

DATE: Thursday, February 4, 1982

PLACE: ROOM 106 COUNTY OFFICE BUILDING, 111 W. CHESAPEAKE AVENUE,

TOWSON, MARYLAND

cc: Mr. and Mrs. Emerson E. Barnes
5310 Emory Road
Upperco, Maryland 21155

William E. Hammond
ZONING COMMISSIONER OF
BALTIMORE COUNTY

EMERSON E. BARNES, et ux
406 JEFFERSON BUILDING
TOWSON, MARYLAND 21204

February 4, 1982

Mrs. Jean M. H. Jung
Deputy Zoning Commissioner
Baltimore County Office Building
111 East Chesapeake Avenue
Towson, Maryland 21204

Re: Petition for Special Exception, Special Hearing & Variance
N/E corner of Emory Road & Hanover Road
Emerson E. Barnes, et ux - Petitioners
Case #82-168-XSPHA, Item #78

Dear Mrs. Jung:

At the hearing on this petition which was held on February 4, 1982, you asked that I contact Mr. Wembley concerning the landscaping requirements on the property. After the hearing, I discussed this matter with Mr. Wembley. He advised that his office would require some low shrubbery-type landscaping in the island at the intersection of Hanover Road and Emory Road, and that they would also want some shrubbery and trees planted along the south property line from the end of the island to the east property line.

These requirements have been passed along to the engineer. He will show these landscaping requirements on the drawings which are submitted for the building permit.

Very truly yours,
Robert J. Ryan
ROBERT J. RYAN

RJR:cl

cc: Mr. Lewis O. Keyser
Mr. Emerson E. Barnes

Mr. William E. Hammond
Zoning Commissioner
Room 109, County Office Building
Towson, Maryland 21204

RE: Case No. 82-168-XSPHA
Building Permit Application
No.
4th Election District

Dear Mr. Hammond:

I, the undersigned, being the owner of the above mentioned property and the applicant for the above referenced building permit, do hereby acknowledge that we are fully aware of your Order being subject to a thirty (30) day appeal period, but wish to go ahead with the construction of improvements on the property prior to the expiration of said appeal period.

We hereby relieve our builder, Baltimore County Maryland and you from any liability or responsibility in this matter and agree to assume any and all financial responsibility for any consequences which might arise during the appeal period if an appeal is filed after construction has begun.

Very truly yours,

Emerson E. Barnes
Emerson E. Barnes

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

William E. Hammond
TO: Zoning Commissioner
Norman E. Gerber, Director
FROM: Office of Planning and Zoning
SUBJECT: Zoning Petition No. 82-166-XSPHA

Date: January 23, 1982

The proposed use would be appropriate here. If granted, it is requested that details of landscaping, approved by the Division of Current Planning and Development, be required.

Norman E. Gerber
Norman E. Gerber, Director



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

WILLIAM E. HAMMOND
ZONING COMMISSIONER

January 28, 1982

Robert J. Ryan, Esquire
406 Jefferson Building
Towson, Maryland 21204

Re: Petition for Special Exception, Special Hearing & Variance
NE/corner of Emory Rd. & Hanover Rd.
Emerson E. Barnes, et ux - Petitioners
Case #82-168-XSPHA Item #12

Dear Mr. Ryan:

This is to advise you that \$106.10 is due for advertising and posting of the above property.

Please make check payable to Baltimore County, Maryland, and return to Karen Riegel, Room 113, County Office Building, Towson, Maryland 21204, before the hearing.

Very truly yours,

William E. Hammond
WILLIAM E. HAMMOND
Zoning Commissioner

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 104586

DATE 2/22/82 ACCOUNT 01-662

AMOUNT \$106.10

RECEIVED BY Emerson E. Barnes

FOR: Posting & Advertising of Case #82-168-XSPHA

VALIDATION OR SIGNATURE OF CASHIER



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

WILLIAM F. HAMMOND
ZONING COMMISSIONER

February 22, 1982

Robert J. Ryan, Esquire
406 Jefferson Building
Towson, Maryland 21204

RE: Petitions for Special Exception,
Special Hearing, and Variances
NE/cor. of Emory Rd. & Hanover Rd.
4th Election District
Emerson E. Barnes, et ux - Petitioners
NO. 82-168-XSPHA (Item No. 78)

Dear Mr. Ryan:

I have this date passed my Orders in the above captioned matter in accordance with the attached.

Very truly yours,

Jan M. H. Jung
JEAN M. H. JUNG
Deputy Zoning Commissioner

JMHI/mc

Attachments

cc: John W. Hessian, III, Esquire
People's Counsel

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received this 16 day of Oct, 1981.

Filing fee \$ 5.00 Received: Check

Cash

Other

E. Hammond, Zoning Commissioner

by E. Hammond

red by E. Hammond

the Petition for assignment of a

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 104505

DATE 1/5/82 ACCOUNT 01-662

AMOUNT \$50.00

RECEIVED BY Emerson E. Barnes

FOR: Filing Fee for Case #82-168-XSPHA

VALIDATION OR SIGNATURE OF CASHIER

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 4th Date of Posting 1-16-82

Posted for Special Exception - Special Hearing - Variance

Petitioner Emerson E. Barnes, et ux

Location of property: NE/cor. of Emory Rd. and Hanover Rd.

Location of Signs: North east corner of Emory and Hanover Road

Remarks: 4 signs

Posted by M. D. Quate Signature Date of return 1-22-82

PETITION MAPPING PROGRESS SHEET

| FUNCTION | Wall Map | | Original | | Duplicate | | Tracing | | 200 Sheet | |
|---|----------|----|----------------------------------|-----|-----------|----|---------|----|-----------|----|
| | date | by | date | by | date | by | date | by | date | by |
| Descriptions checked and outline plotted on map | | | | | | | | | | |
| Petition number added to outline | | | | | | | | | | |
| Denied | | | | | | | | | | |
| Granted by ZC, BA, CC, CA | | | | | | | | | | |
| Reviewed by: <i>E. Hammond</i> | | | Revised Plans: | | | | | | | |
| Previous case: 3115 | | | Change in outline or description | Yes | | | | | | |
| | | | Map # | No | | | | | | |

Robert J. Ryan, Esquire
406 Jefferson Building
Towson, Md. 21204

C.A. Myers
5732 Emory Road
Upperco, Md. 21155

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received and accepted for filing this 30th day of December, 1981.

Petitioner Emerson Barnes, et ux

Petitioner's Attorney Robert J. Ryan, Esq.

Reviewed by: *Nicholas B. Commodari*

Nicholas B. Commodari
Chairman, Zoning Plans
Advisory Committee

William E. Hammond
WILLIAM E. HAMMOND
Zoning Commissioner

CERTIFICATE OF PUBLICATION

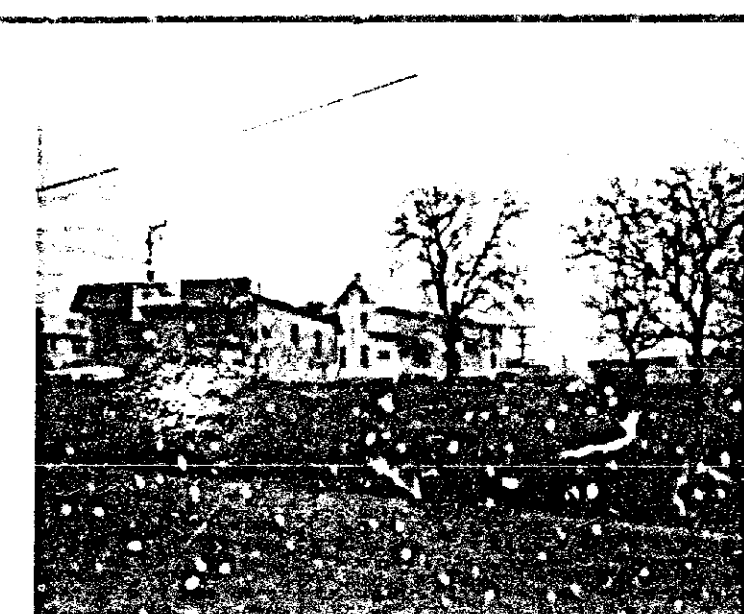
TOWSON, MD. January 19, 1982

THIS IS TO CERTIFY that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., on each day of the successive weeks before the first publication appearing on the 19th day of January, 1982.

THE JEFFERSONIAN

Manager

Cost of Advertisement, \$



Office of The Carroll County Times

Westminster, Md. Jan. 19, 1982

THIS IS TO CERTIFY that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., on each day of the successive weeks before the first publication appearing on the 19th day of January, 1982.

Westminster, Carroll County, Maryland.

THE JEFFERSONIAN

Manager

Cost of Advertisement, \$

THE JEFFERSONIAN

Manager

Cost of Advertisement, \$

THE JEFFERSONIAN

Manager

Cost of Advertisement, \$

THE JEFFERSONIAN

Manager

Cost of Advertisement, \$

THE JEFFERSONIAN

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THE JEFFERSONIAN

Manager

Cost of Advertisement, \$

THE JEFFERSONIAN

Manager

Cost of Advertisement, \$

THE JEFFERSONIAN

Manager

Cost of Advertisement, \$

THE JEFFERSONIAN

[illegible]

PERMITTED ANCILLARY USES:
SALE OF CIGARETTES, CANDY, SOFT DRINKS
AND OTHER ITEMS FROM VENDING MACHINES.
MINOR ACCESSORY USES.

EMORY E. BARNES & WIFE
42ND DISTRICT, BALTIMORE COUNTY, MD.
SCALE 1" = 50' AUG. 13, 1961

C.A. Myers
C.A. MYERS, SURVEYOR
5732 EMORY ROAD, UPPER L, MD., 21155

